



2615 / IFW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. 1053.001B

In re: Application of: Gary W. Elko, Robert A. Kubli, and Jens M. Meyer

Serial No.: 10/500,938

Group No.: Not Yet Assigned

Filed: 07/08/2004

Examiner: Not Yet Assigned

For: Audio System Based on at Least Second-Order Eigenbeams

### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR § 1.56, this is an Information Disclosure Statement (IDS) for the above-captioned U.S. patent application. An IDS Form PTO-1449 listing references is enclosed herewith and forms a part hereof. Submission of references is not an admission that those references are in fact prior art.

#### Certification Under 37 CFR § 1.704(d)

- [ ] Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this statement.

#### Certification Under 37 CFR § 1.97(e)

- [X] Each item of information contained in this statement was either (1) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement or (2) not known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement.

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#### Certification Under 37 CFR 1.8

Date of Deposit November 15, 2006

I hereby certify that this paper and any accompanying papers or fees are being deposited with the U.S. Postal Service with sufficient postage as first class mail under 37 CFR 1.8 on the date indicated above and addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Leighann Madeksiak  
(Name of person mailing)

Leighann Madeksiak  
(Signature of person mailing)

Fee Under 37 CFR § 1.97(c)

☐ The fee for submission of this IDS under § 1.97(c) is \$180.00 as set forth in § 1.17(p).

Petition Under 37 CFR § 1.97(d)

☐ This is a petition requesting consideration of an IDS under § 1.97(d). The petition fee for submission of this IDS under § 1.97(d) is \$180.00 as set forth in § 1.17(p).

Provision of Copies of References

☒ A copy of each of the listed references is enclosed herewith and forms a part hereof.

☐ A translation of each of Reference(s)      is enclosed herewith and forms a part hereof.

☐ A copy of the International Search Report from a corresponding PCT application is enclosed herewith.

☐ A copy of the European Search Report from a corresponding EPO application is enclosed herewith.

☐ A copy of the non-final U.S. office action for U.S. patent application no.          filed on          as attorney docket no.         .

☐ The above-captioned U.S. patent application is a

- ☐ continuation
- ☐ divisional
- ☐ continuation-in-part

application of U.S. application serial number     , filed on      as Attorney Docket No.     . Each of the listed references was previously cited by or submitted to the Office in the prior application. The above-captioned U.S. patent application relies upon the prior application for an earlier filing date under 35 U.S.C. 120. Pursuant to § 1.98(d), copies of the listed references are not being provided with this IDS.

Authorization To Charge Deposit Account

☒ Authorization is given to charge the deposit account of **Mendelsohn & Associates, P.C. Deposit Account No. 50-0782** for any fee under § 1.97(c) or § 1.97(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449 form as confirmation that each of the documents has been considered.

Date: 11/15/06  
Customer No. 22186  
Mendelsohn & Associates, P.C.  
1500 John F. Kennedy Blvd., Suite 405  
Philadelphia, Pennsylvania 19102

Enclosures

Respectfully submitted,

Steve Mendelsohn  
Steve Mendelsohn  
Registration No. 35,951  
Attorney for Applicant  
(215) 557-6657

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(Rev. 2-32) PATENT AND TRADEMARK OFFICE

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.

**SERIAL NO.**

1053.001B

10/500,938

Gary W. Elko, Robert A. Kubli, and Jens Meyer

FILING DATE

**GROUP**

07/08/2004

Not yet assigned

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			

EXAMINER	DATE CONSIDERED
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**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1053.001B

(Form PTO-1449)